IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.9752 of 1997

Dated: 29-11-2006

Between:

1.Kotam Reddy Harindrababu Reddy and another.
..... PETITIONERS

AND

1.The State of Andhra Pradesh,
rep. By its Principal Secretary Revenue,
Hyderabad, and 3 others.
.....RESPONDENTS

The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.9752 of 1997

Order:

This Writ Petition has been instituted seeking a declaration that the action of the respondents in seeking to dispossess the petitioners from the land of an extent of

Ac.42.00 cents situated in Survey Nos.404, 405, 412, 415, 417, 420, 424, 508, 509 and 510 in Pudiparthi Village, Venkatachal Mandal, Nellore District as illegal.

The writ petitioners claim that their father Sri Katamreddy Changa Reddy was declared as surplus land holder by the Land Reforms Tribunal, Nellore, *vide* C.C.No.2582/NLR/75, dated 29th March, 1976, and that Sri Katamreddy Changa Reddy had also surrendered the lands in question and received compensation. Petitioners, who are the sons of the said declarant-Sri Katamreddy Changa Reddy carried the matter in Appeal before the Land Reforms Appellate Tribunal, Nellore, and the Appellate Tribunal by its order dated 25th April, 1994 had set aside the original order of the Land Reforms Tribunal passed on 29th March, 1976 and ordered recovery of the compensation amount paid to Sri Katamreddy Changa Reddy together with interest @ 12% p.a. The Government had then carried the matter by way of revision to this Court by instituting C.R.P.No.2300 of 1994, which was dismissed on 12th August, 1994. Thus, the order passed by the Land Reforms Appellate Tribunal, Nellore on 25th of April, 1994 came to be confirmed. The matter was then carried by the State Government to the Supreme Court in Civil Appeal No.3375 of 1995 and

ultimately, the Supreme Court had confirmed the orders passed by the High Court in the aforementioned C.R.P.No.2300 of 1994, thus, drawing curtains on this entire issue, as a result of which, the State Government was obliged to reconvey the 42 acres of land, which has been surrendered earlier by Sri Katamreddy Changa Reddy. For this purpose, the Revenue Divisional Officer, Nellore, had passed orders in his proceedings No.RC.CC.2582/NLR/75, dated 15th June 1999 to the following effect:

> "In the above circumstances the above lands surrendred by the declarants as ordered by the Supreme Court of India, New Delhi, to be reconveyed to Sri K.Chenga Reddy, declarant in CC.2582/LR/75, Sri K.Subba Relddy Declarant in CC.2718/NLr/75, Sri K.Hariprasad Raelddy declarant in CC.2955/NLR/75.
>
> The Mandal Revenue Officer V.Chalam is requested to hand over possession of the above lands to Sri Katamareddy Chenga Reddy, Sri K.Subba Relddy, Sri K.Hariprasad Raeddy declarants in CC.2582/NLR/75, 2718/NLR/75 and CC.2955/NLR/75 under proper acknowledgment in form No.11 and send to this office immediately."

Accordingly, the lands in question have been reconveyed and restored in favour of the writ petitioners.

The writ petitioners have also asserted that they have paid back the entire compensation amount received by them to the Government together with interest @ 12% p.a.

Therefore, the cause in this Writ Petition does not survive any longer and the same has become infructuous.

The Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

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29-11-2006

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